



U.S. Department of Justice

United States Attorney
Southern District of New York

Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

May 16, 2025

BY ECF

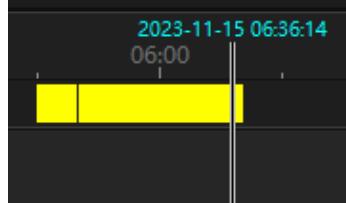
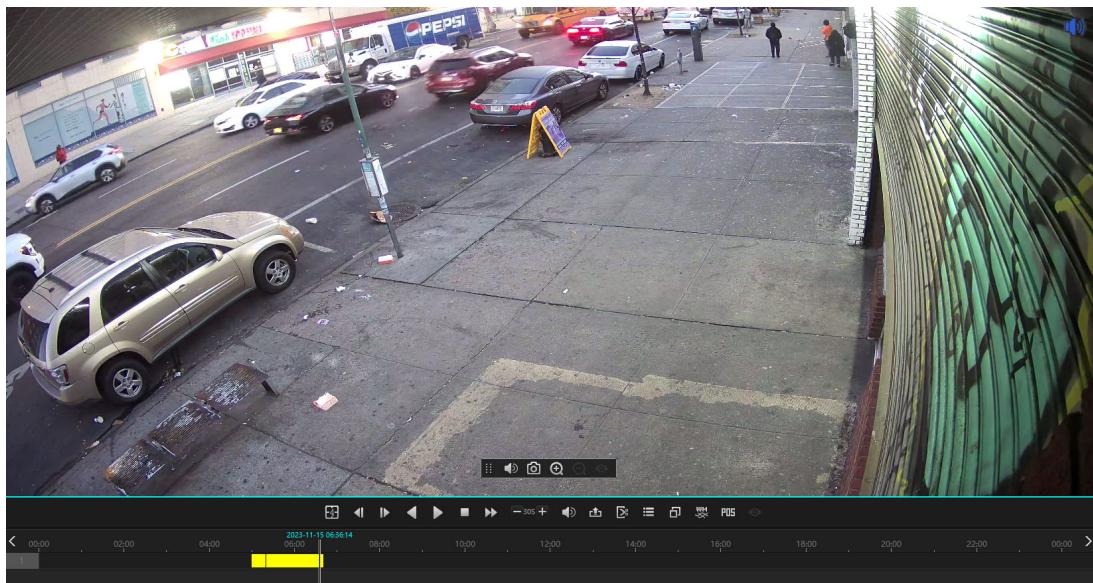
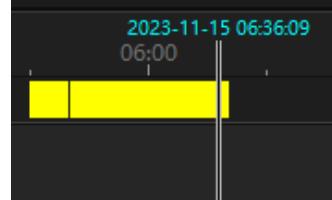
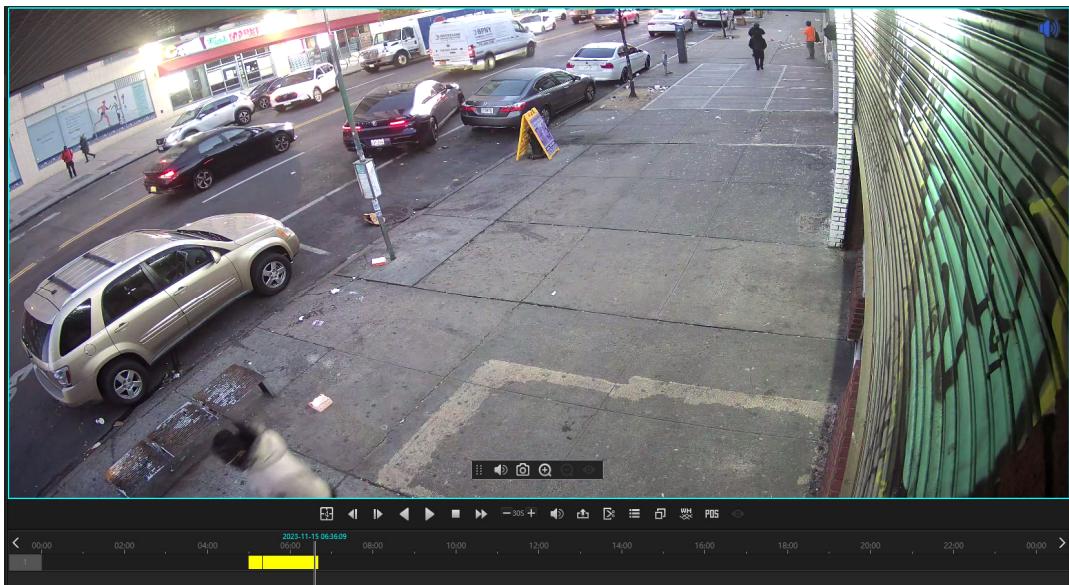
The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Ronell Sweat, 24 Cr 195 (PGG)*

Dear Judge Gardephe:

The Government writes as a follow up to the oral argument on May 13, 2025 in the above-captioned case. Specifically, the Court asked the Government to confirm what time the video in Exhibit B to the Government's sentencing memorandum began and approximately what time the gunshots could be heard in the video. The Government was able to identify the native video file, which plays using an RPAS player. According to the timestamps in the RPAS player, the video begins at 5:00 AM and goes through 6:40 AM. According to the timestamps shown in the RPAS player, the gunshots heard in Exhibit B occur at approximately 6:36:09 AM and 6:36:14 AM.¹ Screenshots from the video as played through the RPAS player are shown below.

¹ The Government has noticed a difference between the original video file's timestamps (as displayed in the RPAS player) versus the *converted* video file that was attached to the Government's sentencing memorandum (Exhibit B). Specifically, the native video file, when played through its original RPAS player, indicates that video recording begins at 5:00 AM and the gunshots occur at approximately 6:36:09 AM and 6:36:14 AM. Exhibit B was created by a former US Attorney's Office graphics technician, who we believe had played the native file on a computer and simultaneously filmed the screen as the video played to create a version which could be played through commercially available software, rather than requiring the proprietary RPAS player. In Exhibit B, the shots occur at the 93-minute marker (suggesting that the shots were fired at 6:33:32 and 1:33:37 AM). This differential of approximately two and a half minutes could have resulted from the RPAS player displaying the video at a slightly accelerated speed while the screen recording software was capturing it. In any event, both videos confirm the exact same sequence of events—including that there was approximately a five second pause in between gunshots. To the extent the precise minute the events occurred is material to the Court's evaluation, the Government submits that the native video file, played through the proprietary RPAS player, is more likely to have accurately captured the precise time of the gunshots.



Respectfully Submitted,

JAY CLAYTON
United States Attorney

by: /s/ Courtney Heavey
Courtney L. Heavey
Assistant United States Attorney
(212) 637-2413

Cc: Counsel of record (by ECF)